

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

JASON RICHEY d/b/a ON TIME SERVICES,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 3:07-CV-466
	)	(VARLAN/SHIRLEY)
MOTION INDUSTRIES, INC.,	)	
	)	
Defendant.	)	

**MEMORANDUM AND ORDER**

This civil action is before the Court pursuant to 28 U.S.C. § 636(b), the Rules of this Court, and by the referral of the Honorable Thomas A. Varlan, United States District Judge, for disposition of the plaintiff's Objections to Deposition Designations [Docs. 47, 49] and the defendant's Objections to Deposition Designations [Docs. 57, 58, 59]. On May 8, 2009, the parties appeared before the Court for a hearing on the instant objections. Attorney Tasha Blakney appeared on behalf of the plaintiff and attorney Meghan Morgan appeared on behalf of the defendant. For the reasons set forth more fully during the hearing, the Court ruled on the objections as follows:

1. With respect to the deposition of Charles Davis, the parties' objections [**Docs. 47, 58**] are **SUSTAINED in part**, to the extent that the following portions of the Davis deposition shall be excluded: page 34, line 25 through page 35, line 19; page 64, line 11 through page 65 line 6; and page 70, line 19 through page 72, line 6. The objections are **OVERRULED in part** with respect to the parties' remaining designations and counter-designations.
2. With respect to the deposition of Charles Meurisse, the parties' objections [**Docs. 49, 57**] are **SUSTAINED in part**, to the extent that the following portions of the Meurisse deposition shall be excluded: page 51, lines 18 through 20; page 59, line 11 through page 60, line 3; and page 87, line 24 through page 91, line 5. The objections are **OVERRULED in part** with respect to the parties'

remaining designations and counter-designations.

3. With respect to the deposition of Scott Robinson, the defendant's objections **[Doc. 59]** are **OVERRULED**, subject to the plaintiff's availability at trial for cross-examination on the out of court statements at issue in the motion. The plaintiff's oral objections are also **OVERRULED**.

**IT IS SO ORDERED.**

**ENTER:**

s/ C. Clifford Shirley, Jr.  
United States Magistrate Judge